

EXHIBIT B

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK

-----X
EDDY O. CISNEROS and DANIEL J. GARZA,
on behalf of themselves and other similarly
situated individuals,

Plaintiffs,

-against-

BORENSTEIN CATERERS, INC. and
GILAD HOCHMAN,

Defendants.
-----X

Civ. Action No.
23 Civ. 1409

**AFFIRMATION OF
LEGAL SERVICES**

VICTOR A. CARR, an attorney duly admitted to practice before the
United States District Court, Eastern District, affirms the following under the
penalties of perjury:

1. That I am a member of the firm of VICTOR A. CARR &
ASSOCIATES, attorneys for the plaintiffs, EDDY O. CISNEROS and DANIEL J.
GARZA, in the above-entitled proceeding, and as such, I am submitting this
affirmation in support of the allowance of legal fees to be paid in the settlement
of this matter.

2. In preparing this fee application, I have reviewed my time
records (attached) and certify that these records reflect work reasonably and
necessarily performed in connection with the prosecution of this action.

3. It is respectfully submitted that the time spent in the prosecution of this action was reasonable and necessary, and that the hourly rates shown are commensurate with the prevailing rates of lawyers with comparable skill, experience and reputation in this jurisdiction.

QUALIFICATIONS OF COUNSEL

4. I obtained the degree of Juris Doctor from St. John's University School of Law in 1981, was admitted to the practice of law in the courts of the State of New York in February of 1982 and the Federal Eastern and Southern Districts of New York in April of 1982. In February of 2006, I was admitted to practice before the Supreme Court of the United States.

5. I have actively practiced law as an attorney for in excess of 40 years, from 1982 to the present time. I have never been suspended, disbarred or otherwise sanctioned by any court or disciplinary body, and have, at all times, been and remained, an attorney in good standing. I am also a member in good standing of the New York State and Nassau County Bar Associations and the New York State Trial Lawyers Association.

6. That, throughout my 40 year legal career, my practice has primarily been concentrated in the areas of personal injury litigation, employment litigation, civil rights litigation, constitutional law, estate practice

and litigation, and appellate practice. I have trained and been qualified to act as a guardian ad litem in the New York State Supreme Court. In my over 40 years of active legal practice, I have represented both plaintiffs and defendants, individuals and large corporations, in numerous jury trials as lead counsel, and conducted hundreds of depositions and hearings, in various Supreme and Surrogate's Courts of the State of New York, and in the Federal Southern and Eastern District Courts of New York.

7. In addition, in my extensive appellate practice, I have briefed, argued and otherwise appeared before various appellate courts, including the New York State Appellate Divisions and Court of Appeals, in the Federal Second Circuit Court of Appeals and the Supreme Court of the United States (*see, Empire Healthchoice v. McVeigh, 547 U.S. 677, 126 S. Ct. 2121[2006]*).

8. It is respectfully submitted that, based upon my skill, experience and reputation in the handling of complex cases and legal issues, and the complexity of the issues in this matter, the hourly rate of \$400.00 per hour, as shown in the attached billing and time records, is reasonable.

LEGAL FEES INCURRED IN THIS PROCEEDING

9. As set forth in the billing records annexed hereto, I have expended 46.10 hours in this matter from the date of the initial retainer to the present time, billed at the hourly rate of \$400.00 per hour.

10. I have waived recovery of the costs necessarily incurred in the prosecution of this action, in the amount of \$1,550.70, have extended a courtesy reduction in the legal fees in the amount of \$2,490.70, and respectfully request allowance of the reduced legal fees in the total amount for both plaintiffs in the sum of \$17,500.00, to be allocated in two equal amounts of \$8,750.00 for each of the two plaintiffs, or for such other amount this Court feels is fair and reasonable.

Dated: Mineola, N.Y.
October 19, 2024

Respectfully submitted,

VICTOR A. CARR & ASSOCIATES
Attorneys for Plaintiff

By: 

Victor A. Carr, Esq. (VC 7542)

88 Second Street
Mineola, N.Y. 11501

Telephone: (516) 747-2478
Facsimile: (516) 747-2574
E-mail: victor@victorcarrlaw.com